

Judge Hellerstein

Violet Elizabeth Grayson (VEG-2792)
 Scarola, Ellis LLP
 888 Seventh Avenue – 45th Floor
 New York, N.Y 10106
 (646) 406-1512

Attorney for Plaintiff

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X	
John Doe,	: No.
	:
Plaintiff,	: ORDER TO SHOW CAUSE
	: AND TEMPORARY
-against-	: RESTRAINING ORDER
	: [Proposed]
Aleya A. Kusum, Ali Shariff,	:
Wells Fargo Bank, NA, and	:
New York City,	: Federal Rule 65
	:
Defendants.	:
-----X	

To Defendants Aleya A. Kusum, Ali Shariff, Wells Fargo Bank, and New York City, and their counsel:

Based upon the showing made by Plaintiff, including the Request for Temporary Restraining Order and Order to Show Cause, together with all supporting papers including the Verified Complaint, the Declaration of Violet Elizabeth Grayson, and the Memorandum of Points and Authorities in Support of Temporary Restraining Order, Preliminary Injunction, and Expedited Proceedings, ~~it appears to the Court that a~~
~~intolerably dangerous situation requiring prompt judicial intervention now exists at 546~~
~~West 148th Street, New York, New York.~~

ORDER TO SHOW CAUSE

Therefore, you must appear before this Court located at 500 Pearl Street, New York, New York, Courtroom 14D on October 16 2007, at 4:00 p.m., and then and there show cause why a mandatory preliminary injunction should not issue as follows.

AKH

Requiring Defendant New York City to:

1) Forthwith commence and diligently prosecute a public nuisance action pursuant to New York City Administrative Code sections 10-155 and 10-156 and/or 7-701 et seq., to achieve complete vacation and closure of 546 West 148th Street, New York, New York, and abatement of the nuisance at said address;

2) Post at least one uniformed police officer in front of 546 West 148th Street, New York, New York, at all times, pending vacation and closure of said building and abatement of the nuisance at said address.

Requiring Defendants Aleya A. Kusum, Ali Sharif, and Wells Fargo Bank, NA to:

1) Actively cooperate with New York City in taking all actions necessary to achieve vacation and closure of 546 West 148th Street;

2) Repair all dangerous, unsanitary, and illegal conditions affecting the physical plant at 546 West 148th Street.

Temporary Restraining Order

It is further ordered that pending hearing on the application for preliminary injunction, defendant shall post at least one uniformed police officer in front of 546 West 148th Street at all times.

AKH

Expedited Treatment of Case

AKH In light of the urgency demonstrated by the Verified Complaint and the apparently drug-related murder occurring at 546 West 148th Street on September 22, 2007, this case will receive expedited treatment. Discovery is now open. An initial status conference will occur on _____. An early settlement conference will occur on _____.

Service

Plaintiff shall serve a copy of this Order To Show Cause and Temporary Restraining Order, together with all of the papers and materials plaintiff filed with the Court, by today sending them via Federal Express for morning delivery tomorrow at the addresses for each defendant shown on the summons in this case. Plaintiff shall also endeavor to effect personal service of all said papers *by noon Oct. 5, 2007* as rapidly as possible.

Defendants' responsive papers shall be served by *telefax* *noon* no later than *Oct. 8*, 2007. Any reply papers in support of the motion for preliminary injunction shall be served by *telefax* *noon* no later than *Oct. 11, 2007*.

AKH So Ordered:

Dated: October 2, 2007

12⁰⁰ noon

John C. Hall
United States District Court Judge

AKH Plaintiff, by in camera submission due 5 p.m. Oct. 4, 2007, shall disclose his identity, his ownership interest in the affected property, his citizenship in the State of Washington, and how his desire for anonymity is consistent with further progress in this lawsuit.